

PATENT COOPERATION TREATY

PCT

NOTIFICATION OF ELECTION

(PCT Rule 61.2)

From the INTERNATIONAL BUREAU

To:

Assistant Commissioner for Patents
United States Patent and Trademark
Office
Box PCT
Washington, D.C. 20231
ETATS-UNIS D'AMERIQUE

in its capacity as elected Office

Date of mailing (day/month/year) 12 April 2000 (12.04.00)	
International application No. PCT/IB99/01467	Applicant's or agent's file reference 1998ch018
International filing date (day/month/year) 24 August 1999 (24.08.99)	Priority date (day/month/year) 25 August 1998 (25.08.98)
Applicant DAUS, Rainer et al	

1. The designated Office is hereby notified of its election made:

☒ in the demand filed with the International Preliminary Examining Authority on:

10 March 2000 (10.03.00)

☐ in a notice effecting later election filed with the International Bureau on:

2. The election ☒ was

☐ was not

made before the expiration of 19 months from the priority date or, where Rule 32 applies, within the time limit under Rule 32.2(b).

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland	Authorized officer Juan Cruz
Facsimile No.: (41-22) 740.14.35	Telephone No.: (41-22) 338.83.38

CONFIRMATION COPY

ick re

EATY

R 27. AUG. 1999

PCT

**ACKNOWLEDGEMENT OF RECEIPT OF
DOCUMENTS FILED WITH THE
INTERNATIONAL BUREAU
AS RECEIVING OFFICE**

To:

D'HAEMER, Jan
Clariant International Ltd.
Rothausstrasse 61
CH-4132 Muttenz
SUISSE

Facsimile No.: (061) 469 6588

Date of mailing
(day/month/year)

24 August 1999 (24.08.99)

Applicant's or agent's file reference

1998CH018

IMPORTANT COMMUNICATION

International application No.

PCT/IB99/01467

Date of receipt (day/month/year)

24 August 1999 (24.08.99)

Applicant

CLARIANT FINANCE (BVI) LIMITED

Title of the invention AQUEOUS COMPOSITIONS OF UV-ACTIVE AGENTS, THEIR PRODUCTION AND USE

1. The International Bureau has received the documents/elements listed below on: 24 August 1999 (24.08.99)
by the following means: surface mail (registered)

- | | | |
|-------------------------------------|---|------------|
| <input checked="" type="checkbox"/> | PCT Request | (5 pages) |
| <input checked="" type="checkbox"/> | description (excluding sequence listing part) | (27 pages) |
| <input checked="" type="checkbox"/> | claims | (2 pages) |
| <input checked="" type="checkbox"/> | abstract | (1 page) |
| <input type="checkbox"/> | drawings | |
| <input type="checkbox"/> | sequence listing part of description | |
| <input checked="" type="checkbox"/> | fee calculation sheet | |
| <input type="checkbox"/> | separate authorization to charge deposit account | |
| <input type="checkbox"/> | cheque | |
| <input type="checkbox"/> | cash (in person only) | |
| <input checked="" type="checkbox"/> | power(s) of attorney (copy of general power: 2) | |
| <input type="checkbox"/> | statement(s) explaining lack of signature | |
| <input checked="" type="checkbox"/> | priority document (2) | |
| <input type="checkbox"/> | separate indications concerning deposited micro-organism or other biological material | |
| <input type="checkbox"/> | nucleotide and/or amino acid sequence listing on diskette | |
| <input type="checkbox"/> | statement(s) accompanying diskette(s) containing sequence listing | |
| <input type="checkbox"/> | accompanying letter | |
| <input type="checkbox"/> | form PCT/RO/198 (RO/IB) | |
| <input type="checkbox"/> | other (specify): | |

The applicant's attention is drawn to the fact that **these papers have not yet been checked by this receiving Office** in respect of their compliance with the requirements of Article 11(1), that is, whether these papers meet the requirements necessary for the according of an international filing date. As soon as these papers have been checked, the applicant will be informed accordingly.

2. Additional observations (if necessary):

Name and mailing address of the receiving Office
International Bureau of WIPO
PCT Receiving Office Section
34, chemin des Colombettes, 1211 Geneva 20, Switzerland
Facsimile No. (41-22) 910 06 10 (Groups 3 and 4)

Authorized officer _____

Agnès Grocq

Telephone No. (41-22) 338 93 45

INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference 1998ch018	FOR FURTHER ACTION see Notification of Transmittal of International Search Report (Form PCT/ISA/220) as well as, where applicable, item 5 below.	
International application No. PCT/IB 99/01467	International filing date (day/month/year) 24/08/1999	(Earliest) Priority Date (day/month/year) 25/08/1998
Applicant CLARIANT FINANCE (BVI) LIMITED et al.		

This International Search Report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This International Search Report consists of a total of 02 sheets.



It is also accompanied by a copy of each prior art document cited in this report.

1. Basis of the report

- a. With regard to the **language**, the international search was carried out on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.



the international search was carried out on the basis of a translation of the international application furnished to this Authority (Rule 23.1(b)).

- b. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international search was carried out on the basis of the sequence listing :



contained in the international application in written form.



filed together with the international application in computer readable form.



furnished subsequently to this Authority in written form.



furnished subsequently to this Authority in computer readable form.



the statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.



the statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished

2. ☐ **Certain claims were found unsearchable** (See Box I).

3. ☐ **Unity of invention is lacking** (see Box II).

4. With regard to the **title**,

the text is approved as submitted by the applicant.



the text has been established by this Authority to read as follows:

5. With regard to the **abstract**,

the text is approved as submitted by the applicant.



the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box III. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.

6. The figure of the **drawings** to be published with the abstract is Figure No.

as suggested by the applicant.



because the applicant failed to suggest a figure.



because this figure better characterizes the invention.



None of the figures.

INTERNATIONAL SEARCH REPORT

International Application No

T/IB 99/01467

A. CLASSIFICATION OF SUBJECT MATTER

IPC 7 D06M13/35 D06P1/642 D06M15/263 D06P1/52 D06P1/54
D06L3/12

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

IPC 7 D06M D06P D06L C09B

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	EP 0 490 819 A (CIBA GEIGY AG) 17 June 1992 (1992-06-17) cited in the application page 6, line 39 -page 7, line 23; claims ----	1-11, 13-15
A	EP 0 044 995 A (CASSELLA FARBWERKE MAINKUR AG) 3 February 1982 (1982-02-03) the whole document ----	1-10, 12-15
A	EP 0 474 595 A (CIBA GEIGY AG) 11 March 1992 (1992-03-11) cited in the application page 13, line 31 -page 16, line 11; claims ----	1-11, 13-15
A	EP 0 328 485 A (CIBA GEIGY AG) 16 August 1989 (1989-08-16) cited in the application -----	

☐ Further documents are listed in the continuation of box C.☒ Patent family members are listed in annex.

* Special categories of cited documents :

"A" document defining the general state of the art which is not considered to be of particular relevance
 "E" earlier document but published on or after the international filing date
 "L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
 "O" document referring to an oral disclosure, use, exhibition or other means
 "P" document published prior to the international filing date but later than the priority date claimed

"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
 "X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
 "Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.
 "&" document member of the same patent family

Date of the actual completion of the international search

24 November 1999

Date of mailing of the international search report

02/12/1999

Name and mailing address of the ISA

European Patent Office, P.B. 5818 Patentlaan 2
 NL - 2280 HV Rijswijk
 Tel. (+31-70) 340-2040, Tx. 31 651 epo nl,
 Fax: (+31-70) 340-3016

Authorized officer

Blas, V

INTERNATIONAL SEARCH REPORT

Information on patent family members

International Application No

T/IB 99/01467

Patent document cited in search report		Publication date	Patent family member(s)	Publication date
EP 0490819	A	17-06-1992	AT 127870 T	15-09-1995
			DE 59106479 D	19-10-1995
			JP 4339885 A	26-11-1992
			US 5498345 A	12-03-1996

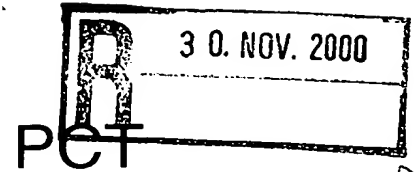
EP 0044995	A	03-02-1982	DE 3027829 A	04-03-1982
			JP 57051757 A	26-03-1982

EP 0474595	A	11-03-1992	DE 59106582 D	02-11-1995
			ES 2078495 T	16-12-1995
			JP 5194931 A	03-08-1993

EP 0328485	A	16-08-1989	CH 676367 A	15-01-1991
			AU 615028 B	19-09-1991
			AU 2971089 A	10-08-1989
			JP 1229072 A	12-09-1989
			US 4940469 A	10-07-1990

PATENT COOPERATION TREATY

From the
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY



To:

D'HAEMER, Jan
CLARIANT INTERNATIONAL LTD.
Rothausstrasse 61
CH-4132 Muttenz
SUISSE

NOTIFICATION OF TRANSMITTAL OF THE INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Rule 71.1)

Date of mailing
(day/month/year) 28.11.2000

Applicant's or agent's file reference
1998CH018

IMPORTANT NOTIFICATION

International application No.
PCT/IB99/01467

International filing date (day/month/year)
24/08/1999

Priority date (day/month/year)
25/08/1998

Applicant
CLARIANT FINANCE (BVI) LIMITED et al.

1. The applicant is hereby notified that this International Preliminary Examining Authority transmits herewith the international preliminary examination report and its annexes, if any, established on the international application.
2. A copy of the report and its annexes, if any, is being transmitted to the International Bureau for communication to all the elected Offices.
3. Where required by any of the elected Offices, the International Bureau will prepare an English translation of the report (but not of any annexes) and will transmit such translation to those Offices.

4. REMINDER

The applicant must enter the national phase before each elected Office by performing certain acts (filing translations and paying national fees) within 30 months from the priority date (or later in some Offices) (Article 39(1)) (see also the reminder sent by the International Bureau with Form PCT/IB/301).

Where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary examination report. It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned.

For further details on the applicable time limits and requirements of the elected Offices, see Volume II of the PCT Applicant's Guide.

Name and mailing address of the IPEA/



European Patent Office
D-80298 Munich
Tel. +49 89 2399 - 0 Tx: 523656 epmu d
Fax: +49 89 2399 - 4465

Authorized officer

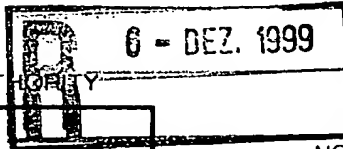
Fuerbass, C

Tel. +49 89 2399-8132



PATENT COOPERATION TREATY

First SE



From the INTERNATIONAL SEARCHING AUTHORITY

PCT

To:
CLARIANT INTERNATIONAL LTD.
Attn. D'HAEMER, Jan
Rothausstrasse 61
CH-4132 Muttenz
SWITZERLAND

NOTIFICATION OF TRANSMITTAL OF
THE INTERNATIONAL SEARCH REPORT
OR THE DECLARATION

(PCT Rule 44.1)

Date of mailing
(day/month/year) 02/12/1999

Applicant's or agent's file reference
1998ch018

FOR FURTHER ACTION See paragraphs 1 and 4 below

International application No.
PCT/IB 99/01467

International filing date
(day/month/year) 24/08/1999

Applicant

CLARIANT FINANCE (BVI) LIMITED et al.

1. ☒ The applicant is hereby notified that the International Search Report has been established and is transmitted herewith.

Filing of amendments and statement under Article 19:

The applicant is entitled, if he so wishes, to amend the claims of the International Application (see Rule 46):

When? The time limit for filing such amendments is normally 2 months from the date of transmittal of the International Search Report; however, for more details, see the notes on the accompanying sheet.

Where? Directly to the International Bureau of WIPO
34, chemin des Colombettes
1211 Geneva 20, Switzerland
Facsimile No.: (41-22) 740.14.35

For more detailed instructions, see the notes on the accompanying sheet.

2. ☐ The applicant is hereby notified that no International Search Report will be established and that the declaration under Article 17(2)(a) to that effect is transmitted herewith.

3. ☐ With regard to the protest against payment of (an) additional fee(s) under Rule 40.2, the applicant is notified that:

☐ the protest together with the decision thereon has been transmitted to the International Bureau together with the applicant's request to forward the texts of both the protest and the decision thereon to the designated Offices.

☐ no decision has been made yet on the protest; the applicant will be notified as soon as a decision is made.

4. **Further action(s):** The applicant is reminded of the following:

Shortly after 18 months from the priority date, the international application will be published by the International Bureau. If the applicant wishes to avoid or postpone publication, a notice of withdrawal of the international application, or of the priority claim, must reach the International Bureau as provided in Rules 90bis.1 and 90bis.3, respectively, before the completion of the technical preparations for international publication.

Within 19 months from the priority date, a demand for international preliminary examination must be filed if the applicant wishes to postpone the entry into the national phase until 30 months from the priority date (in some Offices even later).

Within 20 months from the priority date, the applicant must perform the prescribed acts for entry into the national phase before all designated Offices which have not been elected in the demand or in a later election within 19 months from the priority date or could not be elected because they are not bound by Chapter II.

Name and mailing address of the International Searching Authority



European Patent Office, P.B. 5818 Patentlaan 2
NL-2280 HV Rijswijk
Tel. (+31-70) 340-2040, Tx. 31 651 epo nl,
Fax: (+31-70) 340-3016

Authorized officer

Alicja Van der Heijden

NOTES TO FORM PCT/ISA/220

These Notes are intended to give the basic instructions concerning the filing of amendments under article 19. The Notes are based on the requirements of the Patent Cooperation Treaty, the Regulations and the Administrative Instructions under that Treaty. In case of discrepancy between these Notes and those requirements, the latter are applicable. For more detailed information, see also the PCT Applicant's Guide, a publication of WIPO.

In these Notes, "Article", "Rule", and "Section" refer to the provisions of the PCT, the PCT Regulations and the PCT Administrative Instructions respectively.

INSTRUCTIONS CONCERNING AMENDMENTS UNDER ARTICLE 19

The applicant has, after having received the international search report, one opportunity to amend the claims of the international application. It should however be emphasized that, since all parts of the international application (claims, description and drawings) may be amended during the international preliminary examination procedure, there is usually no need to file amendments of the claims under Article 19 except where, e.g. the applicant wants the latter to be published for the purposes of provisional protection or has another reason for amending the claims before international publication. Furthermore, it should be emphasized that provisional protection is available in some States only.

What parts of the international application may be amended?

Under Article 19, only the claims may be amended.

During the international phase, the claims may also be amended (or further amended) under Article 34 before the International Preliminary Examining Authority. The description and drawings may only be amended under Article 34 before the International Examining Authority.

Upon entry into the national phase, all parts of the international application may be amended under Article 28 or, where applicable, Article 41.

When?

Within 2 months from the date of transmittal of the international search report or 16 months from the priority date, whichever time limit expires later. It should be noted, however, that the amendments will be considered as having been received on time if they are received by the International Bureau after the expiration of the applicable time limit but before the completion of the technical preparations for international publication (Rule 46.1).

Where not to file the amendments?

The amendments may only be filed with the International Bureau and not with the receiving Office or the International Searching Authority (Rule 46.2).

Where a demand for international preliminary examination has been/is filed, see below.

How?

Either by cancelling one or more entire claims, by adding one or more new claims or by amending the text of one or more of the claims as filed.

A replacement sheet must be submitted for each sheet of the claims which, on account of an amendment or amendments, differs from the sheet originally filed.

All the claims appearing on a replacement sheet must be numbered in Arabic numerals. Where a claim is cancelled, no renumbering of the other claims is required. In all cases where claims are renumbered, they must be renumbered consecutively (Administrative Instructions, Section 205(b)).

The amendments must be made in the language in which the international application is to be published.

What documents must/may accompany the amendments?

Letter (Section 205(b)):

The amendments must be submitted with a letter.

The letter will not be published with the international application and the amended claims. It should not be confused with the "Statement under Article 19(1)" (see below, under "Statement under Article 19(1)").

The letter must be in English or French, at the choice of the applicant. However, if the language of the international application is English, the letter must be in English; if the language of the international application is French, the letter must be in French.

The letter must indicate the differences between the claims as filed and the claims as amended. It must, in particular, indicate, in connection with each claim appearing in the international application (it being understood that identical indications concerning several claims may be grouped), whether

- (i) the claim is unchanged;
- (ii) the claim is cancelled;
- (iii) the claim is new;
- (iv) the claim replaces one or more claims as filed;
- (v) the claim is the result of the division of a claim as filed.

The following examples illustrate the manner in which amendments must be explained in the accompanying letter:

1. [Where originally there were 48 claims and after amendment of some claims there are 51]:
"Claims 1 to 29, 31, 32, 34, 35, 37 to 48 replaced by amended claims bearing the same numbers; claims 30, 33 and 36 unchanged; new claims 49 to 51 added."
2. [Where originally there were 15 claims and after amendment of all claims there are 11]:
"Claims 1 to 15 replaced by amended claims 1 to 11."
3. [Where originally there were 14 claims and the amendments consist in cancelling some claims and in adding new claims]:
"Claims 1 to 6 and 14 unchanged; claims 7 to 13 cancelled; new claims 15, 16 and 17 added." or
"Claims 7 to 13 cancelled; new claims 15, 16 and 17 added; all other claims unchanged."
4. [Where various kinds of amendments are made]:
"Claims 1-10 unchanged; claims 11 to 13, 18 and 19 cancelled; claims 14, 15 and 16 replaced by amended claim 14; claim 17 subdivided into amended claims 15, 16 and 17; new claims 20 and 21 added."

"Statement under article 19(1)" (Rule 46.4)

The amendments may be accompanied by a statement explaining the amendments and indicating any impact that such amendments might have on the description and the drawings (which cannot be amended under Article 19(1)).

The statement will be published with the international application and the amended claims.

It must be in the language in which the international application is to be published.

It must be brief, not exceeding 500 words if in English or if translated into English.

It should not be confused with and does not replace the letter indicating the differences between the claims as filed and as amended. It must be filed on a separate sheet and must be identified as such by a heading, preferably by using the words "Statement under Article 19(1)."

It may not contain any disparaging comments on the international search report or the relevance of citations contained in that report. Reference to citations, relevant to a given claim, contained in the international search report may be made only in connection with an amendment of that claim.

Consequence if a demand for international preliminary examination has already been filed

If, at the time of filing any amendments under Article 19, a demand for international preliminary examination has already been submitted, the applicant must preferably, at the same time of filing the amendments with the International Bureau, also file a copy of such amendments with the International Preliminary Examining Authority (see Rule 62.2(a), first sentence).

Consequence with regard to translation of the international application for entry into the national phase

The applicant's attention is drawn to the fact that, where upon entry into the national phase, a translation of the claims as amended under Article 19 may have to be furnished to the designated/elected Offices, instead of, or in addition to, the translation of the claims as filed.

For further details on the requirements of each designated/elected Office, see Volume II of the PCT Applicant's Guide.

PATENT COOPERATION TREATY

PCT

REC'D 30 NOV 2000

WIPO PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

4

Applicant's or agent's file reference 1998CH018	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/IB99/01467	International filing date (day/month/year) 24/08/1999	Priority date (day/month/year) 25/08/1998
International Patent Classification (IPC) or national classification and IPC D06M13/35		
Applicant CLARIANT FINANCE (BVI) LIMITED et al.		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.



2. This REPORT consists of a total of 5 sheets, including this cover sheet.

- ☐ This report is also accompanied by ANNEXES, i.e. sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of sheets.

3. This report contains indications relating to the following items:

- I ☒ Basis of the report
- II ☐ Priority
- III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☒ Certain defects in the international application
- VIII ☐ Certain observations on the international application

Date of submission of the demand 10/03/2000	Date of completion of this report 28.11.2000
Name and mailing address of the international preliminary examining authority:  European Patent Office D-80298 Munich Tel. +49 89 2399 - 0 Tx: 523656 epmu d Fax: +49 89 2399 - 4465	Authorized officer Luethé, H Telephone No. +49 89 2399 7519 

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT**

International application No. PCT/IB99/01467

I. Basis of this report

1. This report has been drawn on the basis of *(substitute sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to the report since they do not contain amendments (Rules 70.16 and 70.17).):*

Description, pages:

1-27 as originally filed

Claims, No.:

1-15 as originally filed

2. With regard to the **language**, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language: , which is:

- ☐ the language of a translation furnished for the purposes of the international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of a translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. The amendments have resulted in the cancellation of:

- ☐ the description, pages:
- ☐ the claims, Nos.:
- ☐ the drawings, sheets:

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)):

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No. PCT/IB99/01467

(Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.)

6. Additional observations, if necessary:

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes: Claims 1-15
	No: Claims
Inventive step (IS)	Yes: Claims 1-15
	No: Claims
Industrial applicability (IA)	Yes: Claims 1-15
	No: Claims

2. Citations and explanations **see separate sheet**

VII. Certain defects in the international application

The following defects in the form or contents of the international application have been noted:
see separate sheet

Re Item V

Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Reference is made to the following documents:

D1: EP-A-0490819 (cited in the application)

D2: EP-A-0474595 (cited in the application)

2. The subject-matter of present claim 1 differs from the teachings of prior art documents D1 and D2 (both taken independently from each other; for citations see the International Search Report and D1: page 9, lines 25-41, claim 1) only in that D1 and D2 do not disclose cross linking of the carboxyl-containing copolymer (this feature corresponds to the feature "(C)" of claim 1).

According to the description of the present application (cf. page 1, the last 11 lines of the first paragraph) there are certain problems associated with the state of the art UV-light absorbing formulations, in particular "a troublesome build up of pressure".

This technical problem is solved by present claim 1: "It has now been found, surprisingly, that by employing the hereinbelow-defined (C)-containing formulations the above-described problems may be solved or avoided, so that it becomes possible as a result also to treat cheeses with disperse dyes and UV absorber liquors or with disperse brightener liquors without fear of a troublesome pressure build-up or dye or brightener filtration deposits" (cf. page 1, first paragraph).

Neither the problem as such nor the present solution is disclosed or made obvious by the prior art D1 or D2.

Re Item VII

Certain defects in the international application

1. Independent claim 1 is presently not drafted in the two-part form as required by Rule 6.3(b) PCT, whereby the features disclosed by the prior art documents should be placed in the preamble, i.e. all features of claim 1 except for the

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT - SEPARATE SHEET**

International application No. PCT/IB99/01467

crosslinking of the carboxyl-containing copolymer.

2. If the applicant is of the opinion that a two-part form of claim would be inappropriate he is invited to provide reasons in his reply. In addition, the applicant should ensure that it is clear from the description which features of the subject-matter of the independent claims are known from documents D1 and D2 (see point 1 above); see PCT Guidelines PCT/GL/3 III, 2.3a.